

Serving on Your Local School Board

A Guide to Effective Leadership

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The Challenges and Rewards of School Board Service

Foreword

This is a particularly exciting time to serve on a school board.

For more than a decade, the state of Washington has been reshaping its public school system to ensure all students acquire the knowledge and skills they need to succeed in the 21st century. Goals have been developed, standards set, and learning assessments implemented. Students must meet new requirements to earn a high school diploma.

At the state level, the Legislature has approved an ambitious long-range plan intended to change the way the state defines and pays for basic education. In the meantime, however, schools must continue to meet higher expectations at a time when school funding is being reduced.

Meanwhile, the federal government has taken on a larger role in public education, requiring schools, school districts and states to meet scores of performance standards for student achievement.

The leadership in dealing with these issues falls to the locally elected citizens who have accepted the responsibility of school board service.

Delivering quality public education is complex. With the increasing demand for educational excellence and fiscal accountability, the responsibilities of school boards are far more numerous and of greater impact than at any previous time in history.

Serving as an effective school board member today requires time, a sincere interest in public education and a commitment to improving student learning for all. Equipped with these attributes, school board members consistently discover the rewards of school board service:

- “Giving back” to the community by contributing your time and talents to an enterprise that creates a positive future for our children;
- Serving as a leader selected by your fellow citizens and ensuring that the community’s voice is heard in decisions affecting public schools;
- Working as a team member in a state school system that is striving to become one of the best in the nation and the world; and
- Strengthening our democracy and our nation by ensuring a quality public education for all students.

As you offer to serve your community, you will not be expected to know everything about school board service or the delivery of education in your district, the state or the nation. It will be in your best interest, however, to learn the school board member’s roles and responsibilities as quickly as possible. This overview will help you get started by covering the fundamentals.

Thank you for your commitment to school board service. Your willingness to take on this challenge is greatly appreciated.

Serving as an effective school board member today requires time, a sincere interest in public education and a commitment to improving student learning for all.

Education Reform: A Work in Progress

Part 1

In 1993, the state of Washington undertook the ambitious challenge of transforming its public education system to focus on raising academic achievement for all students. While much has been accomplished since then, the effort is still very much a work in progress.

A Landmark Commitment to Improve Student Learning

Washington state's current education reform program began when the Legislature adopted the Education Reform Act of 1993. In education circles, this act is still often referred to by its original bill number, HB 1209.

The intent of this learning improvement law is "to provide opportunities for students to become responsible citizens, contribute to their own economic well being and to their families and communities, and enjoy productive and satisfying lives." The four goals of the Act are:

- All students read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;
- All students know and apply the core concepts and principles of mathematics; social, physical and life sciences; civics and history; geography; arts; and health and fitness;
- All students think analytically, logically and creatively, and integrate experience and knowledge to form reasoned judgments and solve problems; and

- All students understand the importance of work and how performance, effort and decisions directly affect career and educational opportunities.

A Three-part Strategy to Raising Student Achievement

The Education Reform Act approaches these goals with a three-part strategy: set high standards, measure progress through assessments, and hold students and schools accountable for the results.

Standards: Working under the Education Reform Act, educators, parents, business leaders, community members and others developed "Essential Academic Learning Requirements" (EALRs) in the following areas: reading, writing, communication, mathematics, science, health and fitness, social studies, the arts, and educational technology. The requirements contain clear and challenging academic standards that spell out what students are expected to know and be able to do as they advance through school. These standards help schools and communities ensure that students acquire the skills and knowledge they need to live and work in the 21st century.

The state is also implementing grade level expectations (GLEs), providing detail about what students should know and be able to do at each grade level from kindergarten through grade 10.

Assessment: A fundamental component of Washington's education reform law is assessment — determining whether students are mastering the standards

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and whether schools and school districts across the state are making progress in raising achievement levels for all their students.

To measure progress, the state implemented an assessment known as the Washington Assessment of Student Learning (WASL).^{*} The WASL, first used in 1996, was specifically designed to assess student progress in mastering the state's EALRs.

Students in grades 3-8 and 10 take the WASL each spring in reading and math. Students also are tested in writing in grades 4, 7 and 10, and science in grades 5, 8 and 10. The WASL is currently used to meet state and federal testing requirements.

At the local level, many school districts use additional assessments to gauge progress on student learning. Also, the state is phasing in "classroom-based" assessments that can be used by teachers throughout the school year to gauge student understanding of the learning standards (EALRs/GLEs). These assessments are currently being used for social studies, the arts, and health and fitness.

^{}In 2009 the state superintendent of public instruction announced plans to restructure and rename the WASL. Future editions of this manual will reflect changes once they are implemented.*

Accountability: The third component of Washington's education reform effort is accountability — ensuring that schools and school districts are making progress toward meeting state and federal requirements for improving student learning.

Here in Washington, the State Board of Education has responsibility for recommending a program of "performance accountability" for the state's K-12 system. The board is developing a system of measuring school and district progress on student learning, and

providing assistance to schools who are struggling to meet standards. Currently, Washington law prohibits the state from "intervening" (bypassing the authority of the school board and superintendent) in underperforming schools and school districts.

Washington's Graduation Requirements

The ultimate goal is to ensure that all students graduate from high school with the skills and knowledge they need to build a positive future. To that end, the state has implemented revised high school graduation requirements and is considering more for the future.

To earn a high school diploma, students must:

- Earn the number of high school credits set in their school district (the state requires at least 19 credits; many districts require more).
- Complete a High School and Beyond Plan
- Complete a Culminating Project
- Pass state tests showing achievement in basic skills^{*} OR complete state-approved alternatives to those tests.

^{}The state currently requires students to pass the 10th-grade WASL in reading and writing; passage of the 10th-grade WASL in math and science will be required starting with the class of 2013.*

The No Child Left Behind Act

During the last few years, Washington has been working to integrate major new federal requirements into the state's education reform system. These requirements, enacted under the No Child Left Behind Act (NCLB) of 2002, represent the most significant change in federal education policy in a generation.

The goal of the No Child Left Behind Act is that "100 percent of students

in each state be proficient in reading, math and science” by the end of the 2013-14 school year. To meet this goal, the act places a multitude of requirements on states, school districts and schools.

Under NCLB, states must adopt standards and align their assessments with these standards. They must also conduct annual testing in reading and math for all students in grades three to eight and testing in those subjects at least once between grades 10 and 12.

A key element of NCLB requires states, districts and schools to demonstrate “Adequate Yearly Progress” (AYP) in raising student achievement levels. Special focus is placed on four target groups: ethnic/racial minorities, poverty-based students, students who are limited English proficient, and students with disabilities. If AYP targets are not met, schools and districts are subject to increasing levels of consequences.

NCLB also requires regular reporting of test results to parents and the public, fully qualified teachers in every classroom, and greater choice for students who want to transfer from schools that are not meeting standards.

Washington state’s plan for implementing No Child Left Behind was approved in 2003, which is not surprising given that much of the federal act mirrors the standards-based education reform adopted here 10 years earlier.

Basic Education Finance Reform

In 2009, Washington’s Legislature approved a comprehensive package of reforms designed to improve the way the state defines and pays for basic education. The legislation represents the first major plan to restructure K-12 education financing since the mid-1970s, when the courts ruled that the Legislature was not fulfilling its consti-

tutional “paramount duty” to provide ample funding for the education of all students.

While the legislation does not immediately modify the state’s basic education finance structure, it does commit the state to making significant changes by the year 2018. These changes include revising and expanding the definition of basic education, providing new financing formulas, increasing high school instructional time and credit requirements, establishing teacher performance standards, and developing a K-12 performance accountability system.

Much of the new legislation is viewed as a “road map” to basic education finance work, with many issues to be discussed and decided in the years to come. Updates to this publication will include new information as it becomes available.

Progress Made, Challenges Ahead

Washington state is making headway in its mission to improve student learning, but there is still much to be done.

It is worth noting that the state’s academic standards now guide most classroom activities and curriculum decisions, and schools are focusing their goals and policies on the primary mission of raising student academic achievement. Overall performance on the WASL is up from when it was first implemented, and Washington students continue to earn some of the highest scores in the nation on SAT and ACT college entrance tests.

At the same time, there are significant challenges ahead as Washington enters the next era of education reform:

- Schools and school districts will be under increasing scrutiny as the federal No Child Left Behind Act approaches its goal of 100 percent

proficiency by 2014. It is likely that a growing number of schools will be unable to meet the Act's ambitious requirements for Adequate Yearly Progress, which means they will be subject to escalating sanctions.

- While the Legislature has committed to basic education finance reform, the implementation target is several years away. In the meantime, schools must continue to meet performance expectations in the midst of significant cutbacks in education funding.
- Washington state continues to phase in new high school graduation requirements. Beginning with the class of 2013, passage of the math and science sections of the WASL (or similar assessment) will be added to the list of requirements needed to earn a diploma.
- While overall test scores have increased, significant gaps exist for African-American, Hispanic and Native American students and students from low income families.

The Washington State School Directors' Association has published a comprehensive report called *Closing the*

Achievement Gap: A Policy Action Guide for Washington State's School Directors. Underscoring the governance and policymaking role of school boards, the guide contains more than 40 suggestions for school district policies and procedures to close the gap. WSSDA strongly urges new school directors to study this guide.

WSSDA has also published *Data Dashboards for School Directors*, which shows school boards how they can distill and interpret essential information about student academic performance and use that data to effectively target policies and resources to improve student learning. (These publications are available at no cost on the WSSDA Web site at wssda.org/publications.)

The bottom line in education reform is that all students, regardless of race or family income, can meet high academic standards when they have the right kind of opportunities, resources and support systems. As Washington strives to raise student achievement, school directors have a vital role in ensuring that these elements are in place and that all children receive a quality education.

Statewide System, Local Governance

Part 2

Every local school district in Washington is part of a statewide system. School districts are “subdivisions” of the state; as such, each school district board of directors derives its authority from state law.

There are 295 local school districts in Washington, each with its own elected board. School districts in our state are not under the control of city or county officials. (To native Washingtonians, this is obvious. In some states, however, the public schools are part of municipal government.)

Responsibility for funding public schools falls squarely on the state Legislature. Article IX, Section 1 of the Washington State Constitution states that “It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.”

In simple terms, the Legislature establishes requirements and provides the money, which is then allocated by the state Office of Superintendent of Public Instruction (OSPI). Education-related laws often require additional rules for implementation, which are written by OSPI, the State Board of Education and other agencies. Locally elected school boards, however, are ultimately responsible for allocating resources and ensuring state requirements are met.

Under state law, school boards have broad discretionary powers to adopt policies that “promote the education and daily physical activity” of K-12

students, and “the effective, efficient or safe management and operation of the school district.” School boards have a number of responsibilities under this broad mantle of state law, which are discussed in later sections.

In describing the state’s K-12 structure, it is important to note there are nine Educational Service Districts (ESDs) in Washington, each governed by a local board and administered by a superintendent. ESDs help school districts operate more efficiently by pooling resources and offering cooperative services. They provide support in areas such as instructional resources, fiscal services, grants management, special education, transportation, personnel certification, and cooperative curriculum services.

Another important part of the state system is the Washington State School Directors’ Association (WSSDA)*, which is made up of all school directors in the state. A state agency created by the Legislature, WSSDA’s purpose is to provide school directors with policy assistance, training and other services that will assist them in improving student learning. WSSDA also has an advocacy role, providing a structure through which the voice of local school boards can be heard by other elected officials and policymakers at all levels of government.

**For more information about the Washington State School Directors’ Association, see Part 13, “WSSDA: The School Directors’ Own Organization,” on page 37.*

“It is the paramount duty of the state to make ample provision for the education of all children residing within its borders...”

Article IX, Section 1
Washington State Constitution

Facts About Public Schools in Washington State

Washington state's public school system is dynamic and diverse. These interesting facts and figures may help provide perspective for new and prospective directors.

- ✓ Prior to World War II there were 2,875 separate school districts in Washington. Today, as a result of consolidation, there are 295 districts.
- ✓ Enrollment for 2008-2009 (pre-school through high school) totaled 1,038,620 statewide.
- ✓ The overall racial/ethnic mix of students in Washington is approximately 65 percent White, 15 percent Hispanic, eight percent Asian, five percent Black, and three percent Native American.
- ✓ Students in Washington speak about 190 different languages, including English, Spanish, Russian, Vietnamese, Somali, Armenian, Korean, and several different Native American languages.
- ✓ At last count, there were 318 high schools, 339 junior high or middle schools and 1,142 elementary schools statewide. In addition, there were 32 schools that include kindergarten through 12th grade, 242 alternative schools and 139 unclassified schools.
- ✓ School districts in Washington employ more than 104,000 people, including 54,000 teachers, 46,000 support employees, and 4,000 administrators.
- ✓ Washington schools operate 9,300 buses, employ 10,300 drivers, and transport 484,000 students about 500,000 miles every day.
- ✓ Public school funding (a legal obligation of the state) comprises approximately 42 percent of the state's General Fund spending. The state appropriates about \$6.6 billion per year to K-12 schools, with nearly \$1.6 billion of additional funds coming from voter-approved local levies.
- ✓ Most local school levies are limited to 24 percent of the district's state and federal allocations from the previous year. (About one-third of the districts are permitted a levy "lid" of up to 34 percent).

In the 2008-09 school year:

- ✓ Approximately 75 percent of the state's students were enrolled in the 160 districts in Western Washington, with 25 percent enrolled in the 136 districts in Eastern Washington.
- ✓ There were 104 first-class districts* serving 906,598 students, or 89 percent of the total. The first-class districts ranged in size from 45,968 students (Seattle) to 2,043 (Eatonville).
- ✓ The 31 largest school districts each have enrollment of more than 10,000, serving a total of 573,215 students, or 56 percent of the K-12 population.
- ✓ 52 percent of the state's students were enrolled in the 53 districts in the four-county Puget Sound metropolitan area (King, Kitsap, Pierce and Snohomish Counties).
- ✓ There were 191 second-class districts*, enrolling 106,644 students, or 11 percent of the total. These districts range in size from 2,334 students (Steilacoom Historical) to 54 students (North River).

Source: Washington State Office of Superintendent of Public Instruction

*Districts with more than 2,000 students are designated in statute as first class and those with 2,000 or less are designated second class. As a district grows, it must petition to have its classification changed, thus some second-class districts currently have more than 2,000 students.

The Governance Role of School Boards

Part 3

The mission of the public schools is to educate each and every child to achieve his or her potential. This mission can be achieved only in the context of the new realities of our society and the world at large. In our time of social, economic, technological and geopolitical turbulence, the local school board's responsibility is greater than ever.

Acting on behalf of the people of each community, the local school board's leadership role is a governance role. School boards govern, administrators implement. Members of the board fulfill their governance role in four ways:

- **Vision** – The board, with input from the community and district staff, envisions the community's education future and then formulates the goals, defines the outcomes, and sets the course for its public schools. This is done within the context of racial, ethnic and religious diversity and with a commitment to education excellence and equity for all children.
- **Structure** – To achieve its vision, the board establishes a structure which reflects local circumstances and creates an environment designed to provide all students the opportunity to attain their maximum potential through a sound organizational framework. The board employs a superintendent, engages in a strategic planning process to adopt a mission and goals in harmony with its vision, develops and approves policies, formulates budgets, and sets high instructional standards for students and staff. Knowing that schools alone can't meet every need, the board collaborates with families, community organizations and other public and private agencies for the benefit of the whole child. The board also nurtures a climate conducive to continuous improvement.
- **Accountability** – The board is ultimately accountable for student learning. It must continuously assess all conditions affecting education in the district. The board monitors student achievement and ensures program adjustments are made when necessary and that the public is informed about programs and progress. The board ensures professional development is provided for staff and the board. It also ensures governance and legal responsibilities are fulfilled.
- **Advocacy** – The board serves a crucial role as an advocate in the community for public education on behalf of students and schools. School boards have a unique opportunity to advocate on behalf of all children as whole persons in a diverse society. School boards can also play a significant role in representing the needs and interests of their students to state and national policymakers.

Student success is the bottom line for school boards. The local school board can best bring together all the community – students, parents, staff, service groups and other stakeholders – in an effective and responsible manner.

Student success is the bottom line for school boards. The primary focus is on what must be done to assure achievement for all students.

The WSSDA Code of Governance

The Washington State School Directors' Association (WSSDA) holds that the values, knowledge and skills of effective school directors are based on adherence to basic principles such as honesty, integrity and respect for human dignity.

We, as independently elected officials, recognize and accept the responsibility of our role and our personal authority to act only within the structure of a school district's board of directors. We commit to taking the time necessary to understand the beliefs, acquire the knowledge, and develop the skills necessary to be effective school directors.

Beliefs

We believe each individual director is responsible to:

- Be fully prepared and work within the board's structure;
- Make decisions to ensure equal access to public education;
- Acknowledge that an effective board must be composed of members who respect its processes and recognize dissenting viewpoints;
- Respect the professional expertise of district staff as necessary for the operation of effective schools;
- Recognize that schools thrive in a community where there is an atmosphere of mutual respect;
- Support actions taken by the board, and clearly differentiate personal opinion from board decisions when speaking in the minority;
- Make decisions to ensure the rights and welfare of all students;
- Make decisions that respect and accommodate diversity;
- Maintain independent judgment free of special interests and partisan political groups, and avoid the use of schools for personal gain;
- Promote environments that meet the educational needs of all students;
- Recognize that effective internal and external communications are an essential part of our public schools and the role of a school director;
- Consider data-driven educational research in conjunction with proven practices and community input in making decisions;
- Be accountable for personal actions;
- Work cooperatively with other directors, the staff and the community;
- Understand his/her role in making, monitoring and evaluating school district policies; and
- Be sensitive to how independent statements or actions of a board member may be perceived.
- Recognize that their school board authority to act can be exercised only when participating in an official meeting of the board;
- Hold confidential from the public, including families and friends, all matters discussed in executive session;
- Accept the appropriate roles of the board and the superintendent in the operation of the school district;
- Strategically plan for the schools' short-, intermediate- and long-range futures; enact policies to ensure fair, efficient and effective operations; monitor — not manage — the implementation of plans and policies and evaluate the district's educational effectiveness;
- Develop interdependent relationships based on collaboration with other school directors, boards, other educational policymakers and appropriate agencies which will improve public education; and,
- Keep abreast of important developments in educational trends, research and practices.

Knowledge and Skills

We believe that successful school directors will acquire the knowledge and skills necessary to:

- Understand the state's laws and regulations and their district's policies and procedures and contractual obligations which govern the operation of schools;

Adopted 1971; Amended 1982, 1984, 1989, 1991, 1994, 1999 and 2004

The Responsibilities of School Boards

Part 4

While many important tasks and decisions in every school district are delegated to the superintendent and the district staff, the board is ultimately responsible for all district concerns.

The responsibilities of school boards fall into a number of categories. As you review these areas, it is important to remember that individual board members have no legal powers; directors only exercise authority through board actions.

Planning and Goal Setting

This responsibility cannot be delegated. It is the specific activity that establishes the vision for education in your community and the goals through which that vision becomes reality. Through this mechanism, communities together have input into the education of their children. The most successful and rewarding vision and goal-setting processes are those that involve all aspects of the community, staff, parents and students.

Evaluation

Evaluation is the process by which boards are held accountable to the public for the goals that are set for education in their districts. Boards are responsible for obtaining from the administration and other sources reliable information upon which to make the best possible decisions about their school programs. The board is ultimately responsible for appraisal of the results of these programs, a task which is frequently delegated to the administration for review by the board.

Policymaking

One of the board's major functions, and the foundation upon which the district's "structure" is built, is the setting of policy. The board develops and adopts district policy governing all facets of school operations, including employment of staff, administration of student services, educational programs, instructional materials, school facilities, equipment, finance and support services. A board can adopt policy upon the recommendation of the superintendent, but the final decisions on policy cannot be delegated. A board delegates the implementation of policies to the superintendent. It evaluates the execution and effect of policy through observations, special studies, and periodic reports by administrators.

Designating the Chief Executive

A board is responsible for recruiting, hiring and evaluating the performance of the district superintendent. This task cannot be delegated. Unless otherwise specified in state statutes or board policy, a board exercises supervision and control primarily through its chief administrator and does not deal directly with individual staff members employed to assist the superintendent in implementing board directives.

Instruction

Working closely with the school administration and within the scope of the state learning goals, a board must set general goals and adopt policies upon which instructional programs will be

A board's major function, and the foundation upon which the district's "structure" is built, is the setting of policy.

based, all of which must be in accordance with state law and regulations put forward by the Superintendent of Public Instruction and the State Board of Education. A board has the power to accept, modify or reject its administration's recommendations on the scope and nature of educational offerings, as well as on which textbooks will be used.

Students

Although the board does not deal directly with students to solve problems, it does set policies which govern the actions of administration and other school staff. A board can accept, modify or reject policies recommended by the superintendent regarding school admissions, placement, promotion, attendance, expulsion, suspension, graduation, conduct, discipline, safety, health services, food services and transportation services. All such policies must be viewed in light of their effect on all students' equal access to educational opportunities in accordance with state and federal requirements. The board also may hear and decide individual student appeals of administrative actions in some areas, such as discipline.

Financial Resources

In consultation with the superintendent, a board is responsible for approval and adoption of an annual budget that provides the financial basis for the staff, buildings, furnishings, materials, transportation and equipment needed to carry out educational programs.

Other financial responsibilities include:

- Authorizing the administration to make the necessary expenditures budgeted and appropriated by the board;
- Approving budget extensions;
- Authorizing and setting levy amounts;

- Making decisions on the time, size and sale of bonds and the investment of bond proceeds;
- Adopting policies for the purchase, disposal and distribution of supplies, property and equipment;
- Approving and adopting an insurance program for the district; and
- Authorizing the administration to invest and borrow funds within the limitations of state law.

Staffing and Appraisal

In most districts, the board delegates the tasks of recruiting, recommending for hire, evaluating, promoting and disciplining staff (in accordance with board policy) to the superintendent. The board is responsible, within the framework of state law and often of collective bargaining, for establishing policy governing salaries and salary schedules, terms and conditions of employment, fringe benefits, leave and in-service training. The board works with the superintendent to establish the district's position in negotiation with unions and ratifies all collective bargaining contracts.

School Facilities

A board is responsible for determining school facility needs and communicating those needs to the community; placing capital measures before the voters; purchasing, disposing of or leasing school property; and approving building plans that support and enhance educational programs. Upon the recommendation of the superintendent, a board employs architects, hires building contractors, and contracts for operational and maintenance services.

Adjudication and Investigation

From time to time, a board may hear appeals from school staff members or students on issues which involve board policy implementation. It may also conduct quasi-judicial oversight hearings and investigations on board policy or implementation issues and school system operations.

Community Engagement

To be an effective, school boards maintain ongoing communication with school staff, parents, students, opinion leaders, legislators and other members of the community. The board must ensure there are adequate and direct means for keeping the local citizenry informed and for keeping itself informed about the wishes of the public. All formal means of district communication (surveys, newsletters and the like) should be established in board policy and delegated to the administration.

General

Other activities include:

- Establishing procedures for the operation of the board;
- Electing board officers;
- Establishing attendance zones for the school district;
- Retaining an attorney or law firm for the school district;
- Setting strategy and coordinating litigation decisions when the school district is involved in a lawsuit;
- Establishing and maintaining effective board-superintendent relations;
- Periodically reviewing and evaluating board operations and performance; and
- Working with (as well as authorizing the administration to work with) city, county, and other government and non-government officials and agencies.

Proven Leadership Tips for School Boards

- ✓ Involve the community in establishing a vision for education in the district and goals to achieve that vision.
- ✓ Establish school board policies and goals for the district.
- ✓ Require the school superintendent to establish procedures, or action plans, to implement school district policies and goals.
- ✓ Adopt a monitoring system that includes a regular assessment of the board and of the superintendent's implementation of the goals.
- ✓ Establish a procedure among board members for the board chair/president to receive input on issues they feel are important and/or reflect public concern.
- ✓ Establish a procedure for the board chair/president to meet with the superintendent well in advance of board meetings to establish the agenda.
- ✓ Require that supporting materials for agenda items be sent to the board in ample time for thorough review.

Nine Characteristics of High Performing Schools

Research has shown that there is no silver bullet, no single thing that schools can do to ensure high student performance. Rather, high performing schools tend to have the following nine characteristics:

- 1. Clear and Shared Focus** – Everybody knows where they are going and why. The focus is on achieving a shared vision, and all understand their role in achieving the vision. The focus and vision are developed from common beliefs and values, creating a consistent direction for all involved.
- 2. High Standards and Expectations for All Students** – Teachers and staff believe that all students can learn and meet high standards. While recognizing that some students must overcome significant barriers, these obstacles are not seen as insurmountable. Students are offered an ambitious and rigorous course of study.
- 3. Effective School Leadership** – Effective instructional and administrative leadership is required to implement change processes. Effective leaders proactively seek needed help. They nurture an instructional program and school culture conducive to learning and professional growth. Effective leaders have different styles and roles – teachers and other staff, including those in the district office, often have a leadership role.
- 4. High Levels of Collaboration and Communication** – There is strong teamwork among teachers across all grades and with other staff. Everybody is involved and connected to each other, including parents and members of the community, to identify problems and work on solutions.
- 5. Curriculum, Instruction and Assessment Aligned with Standards** – The planned and actual curriculum are aligned with the essential academic learning requirements (EALRs). Research-based teaching strategies and materials are used. Staff understand the role of classroom and state assessments, what the assessments measure, and how student work is evaluated.
- 6. Frequent Monitoring of Learning and Teaching** – A steady cycle of different assessments identify students who need help. More support and instructional time is provided, either during the school day or outside normal school hours. Teaching is adjusted based on frequent monitoring of student progress and needs. Assessment results are used to focus and improve instructional programs.
- 7. Focused Professional Development** – A strong emphasis is placed on training staff in areas of most need. Feedback from learning and teaching focuses extensive and ongoing professional development. The support is also aligned with the school or district vision and objectives.
- 8. Supportive Learning Environment** – The school has a safe, civil, healthy and intellectually stimulating learning environment. Students feel respected and connected with the staff and are engaged in learning. Instruction is personalized and small learning environments increase student contact with teachers.
- 9. High Levels of Family and Community Involvement** – There is a sense that all have a responsibility to educate students, not just teachers and school staff. Families, businesses, social service agencies, and community colleges/universities all play a vital role in this effort.

– Office of the Superintendent
of Public Instruction
June 2007

The Leadership Team

Part 5

The board's role is one of governance — setting a direction and establishing goals for the school district. Therefore, the school board is often referred to as the **governance team**. The superintendent's role is implementation and administration of that direction. The superintendent and his/her administrative staff is called the **management team**. Each have their separate and distinct roles. The two teams — working in unison and each respecting each others' role — form the **leadership team**. The table at the end of this section is designed to help you visualize these roles.

Continuity of Leadership

The board is the repository of school board practices. The board chair/president is selected by fellow board members for an important leadership role. By the election of a board chair/president, fellow board members endorse or appoint an individual to establish the work of the board for the year. The chair works closely with the superintendent to represent fellow board member interests in a variety of areas, such as monitoring and reviewing programs and monitoring, reviewing and/or developing new board policies.

The superintendent provides continuity of leadership by establishing good practices in the district. These, of course, are monitored and reviewed on a regular basis. Yet another important rule in continuity is the selection and employment of qualified staff. The superintendent is charged with the vital task of being the

instructional leader of the school district. Finally, an equally important role is to establish rapport and trust with his/her board of directors.

Building a Working Relationship

Open, cordial personal relationships characterize a successful school district's board-superintendent partnership. A genuine, mutual respect for the contributions each party makes to district governance creates a team approach to problem solving, decision making and goals achievement. Key features should include:

- **Frequent two-way communication.** The superintendent should provide timely oral and written communications of pending or emergency items. Board members should reciprocate, immediately informing the superintendent of citizens' concerns.
- **Support, not "surprises."** Board members should make decisions on complex issues only after they have had an opportunity to discuss them at board meetings and review the superintendent's written recommendations for action with accompanying rationale. The superintendent should obtain board input on substantive personnel decisions. Once a decision is made, both parties should support it.
- **Well-defined roles.** The superintendent's contract should clearly state the areas in which the superintendent is accountable. Board evaluation of

The two teams (board members and administrators) — working in unison and each respecting each others' role — form the leadership team.

the superintendent should be handled in a formal, businesslike manner.

- **Professional growth.** Joint attendance at WSSDA meetings and other sessions and workshops should be budgeted annually. Training and knowledge gained together leads to better decisions.
- **Joint celebration of significant, positive achievements.** Student, staff or board accomplishments should be topics at board meetings. Official board action, such as awarding of certificates, lends special acknowledgment to meritorious service or activities. Informal social receptions held before or after the meeting also can commemorate the occasion. (Keep in mind, however, that these are public events.)

- **Mutual appreciation.** A partnership is most effective if the two parties care enough about each other to say “thank you” in meaningful ways.

Perhaps the most overlooked motivator of leadership team development is the **board and superintendent evaluation process**. Through the board’s leadership in performing a board self-assessment, goals are established and a measurement of progress is put in place, weaknesses are spotted, and a program of improvement can be undertaken. Once this is done, the superintendent evaluation is conducted based on established expectations and evaluative criteria. (WSSDA offers training in the board and superintendent evaluation process.)

Leadership Team Roles	
<p>School Board</p> <p>GOVERNS (Guides, Directs)</p> <p>Decides What</p> <p>Requests Information</p> <p>Considers Issues</p> <p>Creates, Reviews and Adopts Policy</p> <p>Approves and Reviews Plans</p> <p>Monitors Progress</p> <p>Contracts with Personnel</p> <p>Approves Evaluation Criteria and Procedures</p> <p>Approves and Reviews Budget</p> <p>Represents Public Interests</p>	<p>Superintendent</p> <p>MANAGES (Administers, Operates)</p> <p>Decides How</p> <p>Seeks and Provides Information</p> <p>Provides Recommendations</p> <p>Recommends and Carries Out Policy</p> <p>Implements Plans</p> <p>Reports Progress</p> <p>Supervises Hiring Process and Practices</p> <p>Supervises and Evaluates Personnel</p> <p>Formulates Budget</p> <p>Acts in Public Interest</p>

Frequently Asked Questions

Part 6

Most candidates for local school boards, like candidates for any other public office, usually have questions about the job they are seeking. Although the specific questions vary, they generally revolve around the common theme “How do I bring about the changes I want?” Over the years, the Washington State School Directors’ Association has found that the following questions are those most often asked by serious school board candidates. The answers printed here are intentionally brief, even though many of the questions involve extremely complex topics.

What gives a school board the authority to act?

School boards were created by the Legislature to formulate policies for the operation of school districts in accordance with the requirements of the constitution and state laws. School boards are thus agents of the state charged with governance functions delegated to them by the Legislature. In general, boards have three types of power: (1) that which is enumerated by the Legislature; (2) that which necessarily is implied to carry out what the Legislature authorizes; and (3) that which improves public school programs or improves the administration of school districts.

What is the relationship between the board and the superintendent? Who makes the final decisions?

The superintendent is the person chosen by the board to translate the will of the board and board policy into action. The board provides guidance to the su-

perintendent and approves, disapproves or modifies his or her recommendations.

What will be my main responsibilities?

As a school board member you must remember you have no power or authority except that which results from participation in decisions and actions of the board in an official meeting. With that in mind, responsibilities are described in terms of the board rather than individuals:

- The school board hires the superintendent, the “chief education officer” responsible for managing district staff and operations.
- The school board sets the priorities and adopts the budget that determine how federal, state, and local tax dollars are spent.
- The school board sets goals for student achievement and evaluates progress toward those goals.
- The school board decides how school boundaries are drawn and whether schools are constructed or closed.
- The school board sets the policies that determine which courses and programs are offered and what texts, tools, and technology are purchased.

It is also important to keep in mind that, as a board member, you are elected to represent the entire school district and the best interests of all students.

Although the specific questions vary, they generally revolve around the common theme “How do I bring about the changes I want?”

How does a board make sure that its district operates in accord with its wishes?

One of the most important functions of the school board is to formulate and adopt sound education and governance policies. These policies set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and staff can carry out assigned duties. The board should ask for periodic reports on programs and activities to ensure that its adopted policies are followed.

What say will I have in deciding what is taught and which textbooks are used?

State law requires each district to have an instructional materials committee that recommends instructional materials to the board. Boards may accept or reject the recommendations. A professional staff of administrators and teachers is employed by the board to manage and carry out these instructional tasks.

Since the decision making authority is vested in the board and not in the individual members, you will be successful in achieving your personal goals and in implementing your personal ideas only if you can persuade a majority of the members of the board that your proposals have merit. As a board member you have an obligation both to express your views and to recognize that the decision of the board, once legally established, prevails.

Can anyone attend a board meeting?

All meetings of the school board are open to the public (including district staff) except for an executive session or, in specifically defined situations, when the Open Public Meetings Act does not apply. Executive sessions must be limited to discussion of such matters as:

- Sale or purchase of real property;
- Hearing complaints or charges against an employee; or
- Pending litigation.

The Open Public Meetings Act does not apply to labor negotiations or appeals to the board.

NOTE: The purpose and length of an executive session must be announced prior to the session. Only the announced subject may be discussed and no vote can be taken. Where the Open Public Meetings Act does not apply, the school board may make decisions closed to the public. (See Part 9 - Legal Requirements for School Board Meetings, page 25.)

Where do school districts get their money?

Districts receive the major portion — about 80 percent — of their revenue from the state. Most districts also receive some revenue through special programs funded by the federal government. In addition, a local board can ask citizens to increase their property taxes through levy and bond elections within certain limits and for specific purposes as established by state law.

Who decides how this money is spent?

The school board establishes goals and priorities that provide a framework for the budget. The superintendent works with other staff members to draft a budget that meets board objectives, follows laws and regulations, and stays within available district financial resources. The board approves the budget after a public hearing, then the superintendent is responsible for administering and living within its limits and for seeking board approval of expenditures. State law requires that the superintendent present a budget status report at each regular monthly meeting of the board.

What is the relationship between board members and teachers?

Officially, the board is responsible for adopting policies, rules and regulations which define the responsibilities of teachers and for approving all employment contracts. Individually, board members should treat teachers, or any other school employees, in the same manner afforded all citizens of the district. They should listen to personal requests and then refer the individual to the proper administrative authority.

Who hires a district's superintendent? How do you tell if he or she is doing a good job?

The board hires the superintendent and approves a contract outlining the terms and conditions of employment. Systematic procedures for selection may require several months of careful planning and well-organized steps in screening the best qualified candidates available to the district.

State law requires the board to evaluate the superintendent annually. This is a significant responsibility as well as a mandate. The most thorough superintendent evaluations do not take place only during the formal process once a year. Issues and concerns should be discussed with the superintendent as they arise. It is not in the best interest of the district, nor is it fair to the superintendent, to let concerns "ride" for an entire year.

How can a board get rid of poor employees in the district?

Constitutional principles, state laws, union contracts, and local district policies spell out employment and release procedures for all school employees. Careful legal steps must be followed to remove any employee from a school district job.

It is the responsibility of the board to establish legally sound and fair evaluation policies and to insist that these policies be closely followed by the district administrators.

Will I be involved in collective bargaining?

Since 1975, school districts have been required to bargain collectively with their organized employees. If the board employs a bargaining representative, the board still retains the responsibility to adopt bargaining parameters and guidelines and approve all final agreements. In some districts, directors serve on the negotiating team.

Will I be paid for my services as a school director?

State law provides for reimbursement of expenses you incur in performing your duties as a board member. In addition, under state law, your board may have authorized the use of local levy resources to pay directors up to \$50 per day of service, not to exceed \$4,800 per year.

Do I have to report my personal finances to the state even if my district does not pay its school directors?

Yes. The only general exception is for districts with fewer than 1,000 registered voters. All other school directors are required to file financial disclosure statements with the state Public Disclosure Commission. These reports begin when a person becomes a candidate for a board position and continue throughout his or her term of office. For details, contact your county auditor's elections office or the Public Disclosure Commission (www.pdc.wa.gov, 360.753.1111).

How much time does it take to be a school board member?

As a school board member, you and your fellow directors will be in charge of managing one of the largest businesses

in your community. By accepting this responsibility, you in effect agree to attend the regular and special meetings of the board and to keep yourself informed about the numerous issues on which you will be expected to make decisions.

Membership on your local school board does demand a significant amount of time and commitment, but it also is one of the most rewarding ways you can help shape the future for the children in your community and across the state.

Am I personally liable for decisions I make on the school board?

While it is not unusual for school directors to be named in lawsuits against their districts, in almost all cases the district can defend and indemnify the director (provide a legal defense and pay any judgment). In cases where the board has adopted a policy or taken

an action clearly in violation of the civil rights of a person, board members can face personal liability, but this is an unlikely occurrence. Many board members confer with their insurance agents about “umbrella” coverage for things like board service.

What if I have more questions?

Technical data and information about your local district is available from the superintendent and other professional staff. Other helpful sources for assistance are listed in Part 14, pages 39-40.

The Most Difficult Thing to Learn...

Experienced board members from across the nation were asked to identify the most difficult lesson they had to learn about board service. Here’s what they said most often:

- ✓ Determining your function on the board and how to accomplish it effectively.
- ✓ That no matter what you think you know about board service when you first come on board, you still have a lot to learn.
- ✓ Learning to acknowledge publicly that you have no power and authority as an individual board member and that only the board as a whole can make policies and decisions for the school district.
- ✓ Recognizing the difference between setting policy (the board’s job) and administering the schools (the superintendent’s job).
- ✓ That you must think deeply and sometimes accept board decisions that are contrary to your own beliefs.
- ✓ That you must represent all the students. Your decisions must be made in the interest of the total school system and not made solely for special groups or interests.
- ✓ Learning how to respond appropriately to the complaints and concerns of citizens, school administrators and other staff.
- ✓ That change comes slowly.
- ✓ That you can’t solve everyone’s problems by yourself.
- ✓ That boardsmanship means being able to hold the minority viewpoint when voting on an issue, then openly supporting the majority vote in your community.
- ✓ Understanding how the schools are funded.

Ethics for Effective Board Members

Ethics. Effectiveness. These are two different things, but they go hand in hand. Your ethics form the basis for the code by which you conduct yourself. If your actions are guided by a sound, ethical code of conduct, chances are good that you will be effective as a board member. You will be capable of producing results.

Begin with a commitment

A sound code of conduct for school board members begins with a genuine commitment to striving for high-quality public education that supports the full development of all children and the present and future welfare of the local community and country. You must be committed to doing this and you must be committed to working effectively with others to do this.

Don't forget the work ethic

Saying you are committed to serving public education and your district's school children is not enough. You must do something about your commitment. You have to work for what you believe in.

This means:

- Doing your homework before board meetings.
- Keeping abreast of current educational issues within your own school district, throughout the state, and across the nation.
- Making every attempt to attend all board meetings.

- Becoming well-versed in parliamentary procedure.
- Learning how to get and present facts, not merely interpretations of them.
- Devoting sufficient time, thought and study to proposed actions.
- Considering alternative solutions to problems.
- Encouraging ideas and opinions from students, parents, staff and citizens of the district and endeavoring to incorporate their views into your deliberations and decisions.
- Working with the rest of your board to establish effective and fair board policies by which the superintendent can administer the schools.
- Establishing fair and equitable terms and conditions of employment and evaluation for all school employees.
- Selecting sound instructional strategies and materials and submitting them to regular and impartial evaluations.

Adopt these principles

No code, of course, is complete without the more orthodox ethics such as honesty, trust, fairness and integrity. Not using your office for personal or partisan gain or for the benefit of your family, friends, church or special interest groups is another standard which should be a part of your operating code.

If your actions are guided by a sound, ethical code of conduct, chances are good that you will be effective as a board member.

Recognizing the limits of your authority as a board member is vital. As one board member said: “You must remember at all times that individual board members have no authority apart from the official actions of the board, and you should conduct your relationships with the school staff, the local citizenry and all media on the basis of this fact. Making promises to citizens that you don’t have the authority to make is unethical.”

The following are some standards that experienced board members agree are key elements of effective board service:

- Base your decisions on the available facts and your independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
- Take no private action that will compromise the school district, the board or the administration, and avoid being placed in a position of conflict of interest.
- Support and protect the civil and human rights of all members of the school community.
- Respect the confidentiality of information that is privileged.
- Keep an open mind so that you can accept and evaluate new concepts.
- Listen objectively to constructive criticism.
- Know the difference between personal influence and factual persuasion.
- Maintain a sense of humor.
- Learn and practice the art of compromise.
- Don’t avoid confrontation merely to improve your chances for re-election.
- Share the responsibility for all board decisions, regardless of how you voted.
- Strive for teamwork.

Listening: A Survival Skill for Directors

For members of a board of directors, good listening habits can save money, promote solid relationships, and foster effective decision making. Here are some tips:

- ✓ **Take notes.** Writing down what you hear can improve your chances of learning, but beware that too much note-taking can interfere with listening and can disturb the speaker.
- ✓ **Control your emotions.** Reserve judgment and listen to the full story before you respond.
- ✓ **Question carefully.** Questioning can help break deadlocks, introduce new ideas, clarify points, improve rapport, and enhance understanding.
- ✓ **Concentrate on the speaker.** Look directly at the speaker and focus on the message, even though you think you already know what it is. Don’t interrupt or permit unnecessary interruptions or distractions.
- ✓ **Listen responsively.** Let the person speaking know that you are hearing what they say by nodding, restating main points, and reaching agreement as to what has been said.
- ✓ **Evaluate what you hear.** Review mentally the key points and then question to validate your conclusion. Listen between the lines for what isn’t said.
- ✓ **Keep track of what you hear.** Try cataloging what you hear, including compliments, complaints and questions.

The School Board and the Law

Part 8

This is a brief overview of some of the laws and regulations that have an impact on the decision-making authority of school boards. It is not likely or necessary that school board members have a comprehensive understanding of school law, but basic knowledge of important legal principles and restrictions enables board members to know when to ask about legal ramifications and how to ask questions that will assure consideration of legal issues. Many assume that the law is a strait-jacket in which individuals and school boards are bound. While the law is about rules, those who understand it can act creatively within the law without violating the principles and rights that the law protects.

It is also important to remember that the laws and regulations making up the framework of school district operations are extremely complex and change frequently. Therefore, when a particular legal concern affects your district, you are urged to consult with an attorney. Your county's prosecutor serves your district. Each local board has the authority to engage private counsel. The Washington State School Directors' Association (WSSDA) is able to provide some assistance on many questions that have legal implications. WSSDA does not act as legal counsel for schools or directors, but can provide the roster of the Washington Council of School Attorneys.

There are four major sources of legal regulation that affect school board actions:

1. Statutory Law

- Federal laws enacted by Congress (United States Code, USC); and
- State laws adopted by the Legislature (Revised Code of Washington, RCW).

2. Court Decisions

3. Administrative Regulations

- State Board of Education (Title 180 WAC, Washington Administrative Code);
- Superintendent of Public Instruction (Title 392 WAC);
- Other state agencies; and
- Federal agencies (Code of Federal Regulations, CFR).

4. Local government ordinances, including school district policies

Most state statutes and regulations pertinent to school districts and directors can be found in the *Common School Manual*, published annually by the Superintendent of Public Instruction. These resources, plus federal legal requirements, are available on the WSSDA School Law and Policy online subscription service.

Basic knowledge of important legal principles and restrictions enables board members to know when to ask about legal ramifications and how to ask questions that will assure consideration of legal issues.

The following are a few of the statutes and related regulations most commonly encountered by school board members.

Statutes Related to Directors and Board Operations

- **Open Public Meetings Act** (*Ch. 42.30 RCW*) – Almost all meetings of school boards must either be regularly scheduled or announced with notice and open to the public. There are exceptions for emergencies; executive sessions to consider limited personnel matters, real estate transactions or pending litigation; appeals of specific decisions to the board; consideration of collective bargaining strategies; and formal hearings.
- **Code of Ethics for Municipal Officers** (*Conflict of interest statute, Ch. 42.23 RCW*) – No board member or superintendent, or spouse or a financially interdependent family member, may be employed by the district after the board member or superintendent takes office, or have substantial financial dealings with the district. Districts with fewer than 200 students may employ the spouses of directors or the superintendent. Districts have an exemption for hiring substitute teachers when the board has adopted a written policy declaring a shortage of substitutes. Districts with up to 2,000 students may hire directors or their spouses to drive school buses.
- **Campaign and Candidate Financial Disclosure** (*Ch. 42.17 RCW*) – This establishes the Public Disclosure Commission and the reporting requirements for candidates and elected officials, including school directors. Candidates and directors in districts with fewer than 1,000 registered voters are usually exempt from the reporting requirements.

- **General school district provisions** (including internal and external boundaries, election of board members and general authority) (*Chs. 28A.315, 320, 330, and 343 RCW*)
- **Director Reimbursement and Compensation** (*RCW 28A.343.400 and 28A.315.540*) – Directors may be reimbursed for their actual travel and subsistence expenses while conducting board business and may receive \$50 per day compensation for board duties up to \$4,800 per year if the board has authorized compensation from local levy money and the director has been elected or re-elected since the board action.

Statutes Affecting Programs

- **Basic Education Act** (*Ch. 28A.150 RCW*) – Defines the basic instructional program that districts must offer and that the state finances under its constitutional obligation to fund basic education.
- **Education Reform** (*Ch. 28A.655 RCW*) – Establishes the processes for determining the state's essential academic learning requirements, assessment system, goals and accountability.
- **Special Education** – Requires individualized education for all students qualified as disabled.
 1. State law and regulation (*Ch. 28A.155 RCW and Ch. 392-172 WAC*); and
 2. Federal laws:
 - a. The Individuals with Disabilities Education Improvement Act (20 USC §§ 1400-1435, 2004); and

- b. Rehabilitation Act of 1973 (§ 504)
 - Establishes requirements for the treatment of disabled students and employees for any recipient of federal funds.

- **Transitional Bilingual Instruction** (Ch. 28A.180 RCW).
- **Compulsory Course Work** (Ch. 28A.230 RCW).
- **Courses of Study and Equivalencies** (Ch. 180-50 WAC).
- **State High School Graduation Requirements** (Ch. 180-51 WAC).

Personnel Statutes

- **General School District Employment** (Ch. 28A.400 RCW).
- **Certificated Employees** (Ch. 28A.405 RCW) –
 1. Evaluation Procedure: The board of directors is responsible for establishing criteria for evaluating certificated personnel consistent with the criteria established in the statute. The board is also responsible for evaluating the superintendent.
 2. Continuing Contract Rights: Generally, certificated staff may only be terminated for cause, including a financial crisis. Terminated staff have the right to go through a hearing process to contest the district's action.
 3. Provisional Status of New Teachers: New teachers may be discharged without the right to a formal hearing. Teachers with no previous experience are provisional for their first two years in a district. Teachers with previous experience in Washington have provisional status for their first year in a new district.

- **Collective Bargaining Statutes** – Establish the district's obligation to recognize and bargain with employee representatives on terms and conditions of employment:

1. Teachers (Ch. 41.59 RCW);
2. Classified Employees (Ch. 41.56 RCW); and
3. Public Employment Labor Relations Act (Ch. 41.58 RCW and Title 391 WAC) – Establish the Public Employment Relations Commission (PERC).

Statutes Related to Finance

- **School District Budgets** (Ch. 28A.505 RCW) – School boards are required to adopt the annual district budget following a public hearing and must review monthly financial statements prepared by the superintendent and staff.
- **Apportionment of State Funding** (Ch. 28A.510 RCW) – The state Basic Education Allocation is an amount of money per full-time-equivalent student designed to meet the state's obligation to fully fund basic education.
- **Levy Lid** (Ch. 84.52 RCW) – Limits the amount of money local districts may raise through property tax levies.
- **Salary Lid** (Ch. 28A.400.220 RCW) – Limits the amount of salary districts may pay to non-supervisory certificated staff.
- **School Construction** (Ch. 28A.525 RCW and Chs. 180-24 through 33 WAC) – Laws and State Board of Education rules governing the disbursement of state construction funds and regulating state-funded projects.
- **School District Property** (Ch. 28A.335 RCW).

Legal Requirements for School Board Meetings

Part 9

By law, your school board must hold a regular meeting at least once each month. Here are some additional questions and answers regarding legal requirements for your board meetings:

What information about meetings should our policy include?

Your policy should include the following information:

- The time, day(s) and place of regular meetings; the place of special meetings, unless otherwise indicated in the meeting notice; and a provision for holding meetings on the next regular business day if the regular meeting falls on a holiday.
- The agenda format your board meetings will follow and the process for setting the meeting agenda.
- The board policy on public participation.

Where may board meetings be held?

School board meetings should be held within the school district. As noted above, the board's policy must state where its regular meetings are held throughout the year. If a regular meeting is to be held in a different location, it must be treated as a special meeting and notice of the change of location must be given.

What is a quorum?

A quorum is a majority of all members of the board. A quorum is necessary to hold a board meeting. Usually, to take any action, only a majority of those

present must concur. A majority of the entire board is required to appoint a director to fill a vacancy on the board and a majority of the board should authorize all expenditures. A majority of the board in first-class districts is required to choose a superintendent and elect board officers.

If the board forms any committee which acts on behalf of the board, conducts hearings, or takes testimony or public comment, all meetings of that committee are subject to the same notice requirements as special board meetings.

A majority of the board may travel together or gather for purposes other than a regular or special meeting as long as they do not discuss any district business nor take any action on official matters. This allows board members to travel together to the WSSDA Annual Conference, county or regional director meetings, or other such gatherings.

What kind of minutes are required to be kept?

Minutes of all regular and special meetings are required to be recorded promptly (*RCW 42.32.030 and RCW 28A.400.030*). Minutes need only include notice that the board held an executive session by noting the general purpose of the executive session. The minutes should not reflect any details of the executive session.

Board minutes, once approved, become the official record of board action and are open to public inspection and copying. Accurate recording of board action

Accurate recording of board action is important because the minutes may become evidence in legal proceedings.

is important because the minutes may become evidence in legal proceedings.

What distinguishes regular meetings from special meetings?

Regular meetings are those held at the same time and place and on the same day(s) each month as set by board policy. (Example: first and third Monday of each month, 7:30 p.m., at the district office.) Any other meeting, including work sessions or retreats, is a special meeting. Regular meetings require no notice other than the board policy, and the board may consider any official business and take action on any matter. Special meetings require 24-hour written notice to each member of the board and to any news media that has filed a request to receive such notices. Final action at special meetings may be taken only on items of business stated in the notice.

What kind of notice is required for special meetings?

Written notice of a special meeting must be given to each member of the board and to each local newspaper and radio or television station that has a written request for notice on file with the district. This notice must be delivered personally or by mail at least 24 hours before the time specified for the meeting.

Any member of the board may file a written waiver of notice prior to or at the time a special meeting is convened. Notice is automatically waived as to any member who is actually present at the meeting.

EXCEPTION: A special meeting may be called without notice to consider and act in “an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical

and increase likelihood of such injury or damage” (RCW 42.30.080) The courts have interpreted this exception very narrowly, holding that a special meeting without notice should be avoided unless a genuine emergency exists.

A special meeting notice must contain the time and place of the meeting and the business to be conducted. Final action may be taken only on matters specified in the notice. Any action taken at a meeting for which proper notice was not given is null and void.

What may we discuss in executive session?

The Open Public Meetings Act (*Chapter 42.30 RCW*) was passed to ensure that the business of the public takes place in public. However, a closed or “executive” session may be held during a regular or special meeting to discuss certain subjects. These include:

- Matters affecting national security.
- Consideration of the purchase or sale of real estate when public knowledge of the discussion would cause a likelihood of an increased or decreased price.
- Review of negotiations on the performance of publicly bid contracts when public knowledge of the discussion would cause a likelihood of increased costs.
- Evaluation of complaints or charges brought against a public officer or employee. However, the officer or employee may request a public hearing or a meeting open to the public.
- Evaluation of the qualifications of a candidate for employment or review of the performance of an employee.
- Evaluation of the qualifications of a candidate for appointment to elective office. However, any interview of

such a candidate shall be in a meeting open to the public.

- Conferring with legal counsel representing the board regarding actual or potential litigation involving the school district when public knowledge of the discussion could result in adverse legal or financial consequence to the district.

Before the executive session begins, the president or chair must publicly announce the general purpose of the executive session and the time when the session is expected to conclude. For instance, “The board will now go into executive session to discuss pending litigation and will reconvene in open session in 45 minutes.” The announcements and minutes should not be any

Board Meetings are Key Communication Events

Your school board meeting can be a dry, let’s-get-it-done-and-leave exercise, or it can be a focus of community interest and information. Your meetings can be interesting, informative and a source of recognition for you and your staff. Here’s how:

- First, let people know when and where you hold your meetings.
- Using your knowledge of the community, be alert for agenda items that may interest associates and friends and invite them to attend. Consider sending agendas to schools, parent organization leaders and local libraries.
- Try to get to the meetings a little early and mingle with the people in the audience. Introduce yourself to people you don’t know. Ask if they are interested in a particular issue or agenda item.
- Be sure there are agendas and an outline of your public comment procedure available for the public.
- Begin the meeting with a bit of good news about students, staff members or the educational program.
- Make it easy for people to hear you by using a microphone or speaking clearly and distinctly. Ask people addressing you to do the same.
- Place a question/suggestion box at the entrance to the meeting room as well as in other community locations.
- Have a “Welcome To Our Board Meeting” brochure available.
- If you have appointed committees to provide recommendations on various topics, ask the committee chairs to present overviews of their findings. You’ll get better media coverage and will have a chance to publicly recognize the committee’s work.
- Invite your legislators to report on legislative issues that affect your district. Invite union representatives, parents and community leaders to that meeting, too.
- If it appears that a meeting will last longer than 1-1/2 hours, consider having an informal coffee break so you can chat with community and staff visitors.
- Encourage community organizations to send representatives (board watchers) to your meetings.
- Widely disseminate information about items under discussion.

more detailed as to the purpose of the executive session. Final action on matters discussed in executive session, in most situations, must be taken in a meeting open to the public.

NOTE: Two other situations in which the board may meet without notice and without public attendance are addressed in the Open Public Meetings Act: 1) any quasi-judicial matter heard by the board, such as an appeal of a student transfer request or student disciplinary action, and 2) a meeting for planning or adopting the district's strategy or position for collective bargaining, professional negotiations, grievance or mediation proceedings, or reviewing proposals while negotiations are in progress.

What does the law say about handling disturbances?

If a meeting is interrupted by a patron or group of patrons to the point that orderly conduct of the meeting is not possible, members of the board may:

- Order the interrupter(s) to remove themselves from the meeting room; or
- Order the room cleared, except for members of news media who are not involved in the disturbance and continue in session; or
- Adjourn and reconvene at a place selected by a majority vote, again admitting members of the news media who were not involved in the disturbance.

Employee Relations: An Active Arena

Part 10

Since 1972, when Washington experienced its first strike by public school teachers, scores of school districts throughout the state have experienced some form of employee dispute. In 1991 many districts experienced the state's first multi-local, mid-contract strike. During the 1999 legislative session, many districts experienced one-day walkouts held to protest salary levels. Some districts had similar experiences in 2001 as teachers and others protested the Legislature's approach to implementing two voter-approved initiatives related to teacher salaries and enhanced local funding for schools.

Understanding the factors involved in employee relations is one of the most important responsibilities of a school board member today. Although relatively few board members participate directly in bargaining, they nevertheless are closely involved. Knowledge of the **process** as well as the **issues** is essential to good decision making.

In 1975, a law commonly known as the Educational Employee's Collective Bargaining Act was enacted. Another chapter of law created the state Public Employment Relations Commission (PERC) and established specific dispute settlement procedures. A separate law authorizes bargaining with noncertificated (classified) employees. They also are under PERC jurisdiction.

Those who are impatient with current employment processes are advised to consider all the elements involved. There are legal requirements and other

complicating factors which may preclude simple solutions. These include:

- The requirement to engage in meaningful "good faith" bargaining with employees;
- The obligation to recognize the association or union as the official representative of all employees in a given group;
- Recognition of the fact that the law mandates a written agreement if the employee group requests one;
- The obligation to adhere to certain requirements, restrictions and guidelines in various laws and regulations;
- The possibility that ill-considered words or actions by an individual board member may be an "unfair labor practice," leading to liability for the district;
- The realization that widespread changes in the pattern of society, as well as the law, have resulted in general acceptance of the concept of bargaining by teachers and other public service persons; and, finally,
- Legislatively adopted salary equalization and limitation requirements.

School board members who take a realistic, informed approach that provides for effective employee relations the year around (not only during bargaining) are in a better position to maintain a continuous, stable and productive instructional program that meets the needs of students.

Understanding the factors involved in employee relations is one of the most important responsibilities of a school board member today.

A Legal Overview of Collective Bargaining

Part 11

The following are major statutes (from the Revised Code of Washington, or RCW) and rules (from the Washington Administrative Code, or WAC) relating to collective bargaining:

Public Employees' Collective Bargaining Act (Ch. 41.56 RCW) – Covers school districts as employers and noncertificated school district employees (classified employees).

Educational Employment Relations Act (Ch. 41.59 RCW) – Covers school districts as employers and nonsupervisory certificated employees (teachers).

Public Employment Labor Relations Act (Ch. 41.58 RCW) – Establishes the Public Employment Relations Commission (PERC) and authorizes the Commission to regulate public employer-employee relations.

These three statutes and **Title 391 WAC** (PERC's regulations) can be found in the *Common School Manual*, published annually by the Superintendent of Public Instruction or in WSSDA's School Law and Policy online service.

Definitions

Arbitration: A private, contractual, quasi-judicial method of resolving labor disputes arising from the application of a collective bargaining agreement.

Bargaining representative: "Any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers" (RCW 41.56.030 [3]).

For purposes of school district bargaining, "bargaining representative" refers to the union representing classified employees and "employee organization" refers to the certificated employees' union (RCW 41.59.020 [1]).

Bargaining unit: The group of employees represented by the bargaining representative, determined by PERC.

Collective bargaining: The performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times and to confer and negotiate in good faith in an effort to reach agreement with respect to the wages, hours, and terms and conditions of employment (RCW 41.56.030 [4] and RCW 41.59.020 [2]) (results in a collective bargaining agreement, a contract between the bargaining unit and employer and binding on the members of the bargaining unit).

Educational employees: "Certificated employees (teachers) of a school district, except: the district's chief executive officer, chief administrative officers, confidential employees participating or assisting the employer in labor relations policy, and employees with supervisory authority over other employees" (RCW 41.59.020 [4]).

Grievance: Complaint by a member of the bargaining unit and/or the bargaining representative that the collective bargaining agreement, or the employee's rights under the agreement, have been violated (resolved through a procedure in the collective bargaining

Collective bargaining:
The performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times and to confer and negotiate in good faith in an effort to reach agreement with respect to the wages, hours, and terms and conditions of employment.

agreement called the grievance procedure, often culminating in arbitration).

Public employees: For school districts, noncertificated (classified) employees, except: elected and appointed officials, and confidential administrators and their support staff (RCW 41.56.030 [2]).

Unfair labor practices (ULPs):

1. Employer ULPs (RCW 41.56.140 and RCW 41.59.140 [1]):

- a. Interfering, restraining or coercing employees in the exercise of their collective bargaining rights;
- b. Controlling, dominating or interfering with a bargaining representative;
- c. Discouraging or encouraging membership in an employee organization through discrimination in any terms and conditions of employment; or
- d. Refusing to engage in collective bargaining.

2. Bargaining representative ULPs (RCW 41.56.150 and RCW 41.59.140 [2]):

- a. Interfering, restraining or coercing employees in the exercise of their collective bargaining rights;
- b. Inducing an employer to commit an ULP;
- c. Discriminating against an employee who has filed an ULP; or
- d. Refusing to engage in collective bargaining.

3. PERC has authority to investigate, prevent and issue remedial orders to stop ULPs.

Organization of Bargaining Units

- Public and educational employees have the right to organize and designate a bargaining representative (RCW 41.56.040 and 41.59.060 [1]).
- PERC determines which employees are included in a bargaining unit by

examining (RCW 41.56.060 and RCW 41.59.080):

1. Duties, skills and working conditions of the employees;
 2. History of collective bargaining by the public employees;
 3. The extent of organization among the employees;
 4. The desire of the employees; and
 5. Any challenges by the employer that specific employees are exempt from coverage of the relevant statute.
- The method of determining the bargaining representative varies between certificated and classified employees:
 1. PERC determines the appropriate bargaining representative for classified employees by (RCW 41.56.060):
 - a. Examining organization membership rolls;
 - b. Comparing signatures on organization authorization cards; or
 - c. Conducting an election.
 2. Educational employee bargaining representatives are determined by secret election (RCW 41.59.070).
 - Bargaining unit certification issues or challenges can be raised only once in a 12-month period, and if a collective bargaining agreement is in effect, the bargaining representative can only be challenged not more than 90 days and not less than 60 days prior to the expiration of the agreement (RCW 41.56.070 and 41.59.070).

The Alphabet Soup of Education Acronyms

Part 12

Acronyms and other clumps of initials create some of the “educationese” that often keeps the general public from understanding educators. It is important to understand these abbreviations, but avoid using them in ways that confuse others.

AAA: American Arbitration Association; national association for dispute resolution

AASA: American Association of School Administrators; national organization for school administrators

ACT: American College Test; standard test given high school seniors for college entrance

AESD: Association of Educational Service Districts; state organization of educational service district board members

AFT: American Federation of Teachers; national teacher union

AG: Attorney General

AGO: Attorney General’s Opinion

AP: Advanced Placement; a program of rigorous college-level courses offered in high school

ASBO: Association of School Business Officials; national organization for school business managers

ASCD: Association for Supervision and Curriculum Development; national organization

AWSP: Association of Washington School Principals

AYP: Adequate Yearly Progress; an individual state’s measure of yearly progress toward achieving state academic standards, required under the No Child Left Behind Act (NCLB)

BEA: Basic Education Act; 1977 state law defining basic education for purpose of school funding

CAA: Certificate of Academic Achievement; earned by passing specified state assessments; starting with the class of 2013, a requirement for graduation

CCSSO: Council of Chief State School Officers; national organization for heads of state departments of education

CSCF: Common School Construction Fund

CIA: Certificate of Individual Achievement; an alternative to the Certificate of Academic Achievement (CAA) for students with severe learning disabilities

DNR: Department of Natural Resources; state agency responsible for school trust lands

DSHS: Department of Social and Health Services; state agency responsible for public health, public assistance, vocational rehabilitation and institutions

EALRs: Essential Academic Learning Requirements

ECS: Education Commission of the States; partnership of states for mutual assistance in education issues

ED: U.S. Department of Education; federal agency (cabinet level)

It is important to understand these abbreviations, but avoid using them in ways that confuse others.

EEOC: Equal Employment Opportunity Commission; federal regulatory body, especially deals with employment discrimination claims

EERA: Educational Employee Relations Act; state teachers collective bargaining statute

ERIC: Education Resources Information Center; computerized system to develop, store and retrieve information in all fields and levels of education

ERNN: Employee Relations and Negotiations Network; provides member school districts with services related to bargaining and employee relations

ERS: Educational Research Service; a nonprofit agency that offers current research and management information to subscribers

ESD: Educational Service District; area service organizations for local school districts, of which there are nine in Washington state

ESEA: Elementary and Secondary Education Act; federal law that provides funds to local school districts for specified programs (ESEA is currently reauthorized as the No Child Left Behind Act)

ESL: English as a Second Language; programs utilizing the pupil's first language to better understand standard English and the curriculum

ETS: Educational Testing Service; nationwide organization that administers various kinds of educational and psychological tests

FICA: Federal Insurance Contributions Act; federal program financing social security

FRN: Federal Relations Network; an organization of school board members from each congressional district sponsored by NSBA for advocacy at the federal level

FTE: Full Time Equivalent; describes number of students or staff members

GED: General Education Development; high school equivalency testing program and the diploma equivalent

GLE: Grade Level Expectation

GPA: Grade Point Average

HB (SHB, EHB, ESHB): House Bill (Substitute House Bill, Engrossed House Bill, Engrossed Substitute House Bill); abbreviation preceding bill originating in the State House of Representatives

HECB: Higher Education Coordinating Board

HRC: Human Rights Commission

IDEA: Individuals with Disabilities Education Act; federal law

IB: International Baccalaureate, a program of rigorous high school curricula centered on international standards

IEP: Individualized Educational Program; developed for each special education student

ITBS: Iowa Test of Basic Skills; multiple-choice, norm-referenced test of math, reading and language skills; no longer used in Washington as a state assessment

LAP: Learning Assistance Program; state program, provides funding for the poor and academically disadvantaged

LEA: Local Education Agency; a federal term which usually refers to a local school district; or Local Effort Assistance, i.e. levy equalization

LEAP: Legislative Evaluation and Accountability Program; Serves as the Legislature's independent source of

information and technology with respect to budgets and revenue

LFA: Learning First Alliance; a partnership of major education organizations

NABE: National Association of Bilingual Education

NACBE: National Advisory Council on Bilingual Education

NAEP: National Assessment of Educational Progress; known as “The Nation’s Report Card,” provides continuing uniform assessments of students nationwide

NAESP: National Association of Elementary School Principals

NASBE: National Association of State Boards of Education

NASSP: National Association of Secondary School Principals

NCLB: No Child Left Behind Act; federal law establishing assessment and accountability requirements for the nation’s public schools (see ESEA)

NEA: National Education Association; national teacher union

NREA: National Rural Education Association; national organization for rural educators, board members, PTA, etc.

NSBA: National School Boards Association

NSF: National Science Foundation

NSPRA: National School Public Relations Association; national organization for school communications specialists

NWREL: Northwest Regional Educational Laboratory

OCR: Office of Civil Rights in the federal Department of Education; addresses student discrimination claims

OFM: Office of Financial Management; state agency dealing with budget matters

OPMA: Open Public Meetings Act

OSHA: Occupational Safety and Health Administration; federal agency

PEAB: Professional Education Advisory Board; boards of active professionals that advise each education professional preparation program at colleges and universities in the state

PDC: Public Disclosure Commission; state agency responsible for financial reporting of public officials

PERC: Public Employment Relations Commission; state agency responsible for dealing with labor relations for public employees

PERS: Public Employees’ Retirement System; retirement program for state and local government employees in Washington

PESB: Professional Educator Standards Board

PFL: Partnership for Learning

PL: Public Law; abbreviation precedes numerical designation for federal laws

PRA: Public Records Act; state law establishing requirements for disclosure of records by public agencies

PSE: Public School Employees of Washington; classified school employees union

PTA: Parent Teacher Association

RCW: Revised Code of Washington; all state statutes. (Title 28A RCW is the education code.)

SAT: Scholastic Assessment Test; administered usually during grades 11 and 12; used for university admission

SB (SSB, ESB, ESSB): Senate Bill (Substitute Senate Bill, Engrossed Senate Bill, Engrossed Substitute Senate Bill); abbreviation preceding bill originating in State Senate

SBCTC: State Board for Community and Technical Colleges

SBE: State Board of Education; partly elected by local school directors, develops state policy and provides system oversight for public schools

SEA: State Educational Agency; a federal designation, which in Washington state is the Office of Superintendent of Public Instruction

SERS: School Employees' Retirement System; retirement plan for school employees

SIRS: School Information and Research Service; state organization providing research results to local districts

SPI (OSPI): Superintendent of Public Instruction (Office of); Washington state's department of education

TRI: Time, Responsibility and Incentive; upon which supplemental teacher compensation may be based

TRS: Teachers' Retirement System; retirement program for educational employees in Washington

WA-ACTE: Washington Association for Career and Technical Education

WABE: Washington Association of Bilingual Education

WAC: Washington Administrative Code; state rules and regulations supporting state statutes

WAEOP: Washington Association of Educational Office Personnel

WAAS: Washington Alternate Assessment System; an alternate to the

WASL for students with severe learning disabilities

WASA: Washington Association of School Administrators; state organization for superintendents and other school administrators

WASBO: Washington Association of School Business Officials

WASL: Washington Assessment of Student Learning; used to measure student progress in meeting state learning standards

WCSA: Washington Council of School Attorneys

WEA: Washington Education Association; state teachers' union

WedNet: Washington Education Network; the K-20 computer backbone in the state, part of many school district Web site and e-mail addresses

WIAA: Washington Interscholastic Activities Association; regulates interscholastic activities

WISHA: Washington Industrial Safety and Health Act; state statute

WSFT: Washington State Federation of Teachers; state teachers' union

WSIPC: Washington School Information Processing Cooperative

WSIPP: Washington State Institute for Public Policy; a legislative agency, carries out nonpartisan research

WSPRA: Washington School Public Relations Association; state organization for school communications specialists

WSSDA: Washington State School Directors' Association; state organization for school board members

WTECB: Workforce Training and Education Coordinating Board

WSSDA: The School Directors' Own Organization

Part 13

Established by state law, the Washington State School Directors' Association is comprised of all 1,477 school board members from the state's 295 public school districts. WSSDA is authorized by the Washington State Legislature to be self-governed through officers elected from school boards around the state.

Under this structure, WSSDA is the school directors' own organization. Its services, programs and policies are determined by the members themselves.

WSSDA's core mission is focused on promoting student learning by ensuring that school board members have the knowledge, tools and services they need to effectively govern their districts and champion public education. To that end, WSSDA is:

- A leader in promoting effective governance by school directors through professional development and leadership programs, policy development, strategic planning services, and legal research;
- A respected, trusted advocate for public education and student achievement at the local, state and federal levels; and
- A comprehensive network through which school board members learn from each other, keep abreast of policy and legal developments in education, and share successful practices and innovative ideas.

Membership involvement in the association is one of the keys to its success. School board members have numerous opportunities to help set direction for WSSDA and to influence efforts to improve education statewide. Official positions of WSSDA, as well as the annual legislative program, are the result of grass-roots membership input.

Through the medium of an effective association, the school boards of Washington state have helped influence important school legislation. Board members prepare for their responsibilities through WSSDA conferences, seminars, workshops and materials. Directors are kept abreast of new developments and, together with their colleagues, help chart the future course of the schools.

Many local districts utilize the association's specialized services, particularly in the areas of board training and professional development, strategic planning, policy development, and public relations. Boards find that it is more feasible and economical to utilize the expertise of professionals under part-time contracts with WSSDA than it would be to employ administrators with comparable knowledge and ability.

This publication is but one example of the many ways in which WSSDA serves the interests of its members and of the public school students throughout the state. If you would like additional information, contact any of the WSSDA staff listed on the following page.

WSSDA's core mission is focused on promoting student learning by ensuring that school board members have the knowledge, tools and services they need to effectively govern their districts and champion public education.

WSSDA Staff Directory

General Information: 360.493.9231
Fax: 360.493.9247
Toll Free: 800.562.8927 (in-state only)
Web site: wssda.org
E-mail: mail@wssda.org

Association Services

Martharose Laffey, Executive Director..... 360.252.3001
Sue Vanderburg, Executive Assistant..... 360.252.3002
Harry Frost, Director of Finance & Human Resources 360.252.3003
Elizabeth DeGross, Accounting Assistant..... 360.252.3004
Bill Warrington, Receptionist/Administrative Support 360.252.3007
Antonio Gonzalez, Technical Data/Office Support 360.252.3008
Sue Brand, Computer Systems Administrator & Webmaster ... 360.252.3016

Governmental Relations

Dan Steele, Assistant Executive Director 360.252.3010
Sheila Chard, Administrative Assistant/
Federal Relations Coordinator 360.252.3011

Policy and Legal Services

Marilee Scarbrough, Policy & Legal Services Director..... 360.252.3017
Cindy Sands, Paralegal 360.252.3018
Linda Lowery, Administrative Assistant..... 360.252.3019

Leadership Development Services

Phil Gore, Leadership Development Services Director 360.252.3020
Sue Kerber, Assistant Director..... 360.252.3006
Connie Lauderdale, Administrative Assistant..... 360.252.3009
Soky Chan, Office Assistant..... 360.252.3012

Communications

David Brine, Communications & Marketing Director 360.252.3013
Kate Vikstrom, Communications Specialist..... 360.252.3015
Gail Korsak, Communications Services Coordinator 360.252.3014

Sources for State and Local Education Information

Part 14

It is easy to be bewildered by the array of national, state and local organizations and agencies that offer information about education. In many instances, however, the help you need is just around the corner, or a phone call or mouse click away. Here are some suggestions:

Washington State School Directors' Association (WSSDA)

WSSDA is the school directors' own organization. Its mission is to directly support school board members in their efforts to promote student learning and achievement (see Part 13, page 37).

WSSDA

221 College Street NE
Olympia, WA 98516-5313
360.493.9231 or 800.562.8927
E-mail: mail@wssda.org
Web site: wssda.org

Local Superintendent

He or she can provide a variety of information on local district operations, including finance, educational programs, building maintenance, students, test results, district policies and procedures, minutes of previous board meetings, and answers to other specific questions.

Local School Board Members

Past and present board members, especially the chair or president, are a valuable information resource. Check with them about specific procedures of board operation and practices, issues

confronting the district, opinions and views regarding district programs, and planning for the future of the district.

Educational Service District for Your Region

ESD 101

(Adams County except Othello; Ferry, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties)
4202 S. Regal Street
Spokane, WA 99223-7738
509.789.3800
Web site: www.esd101.net

ESD 105

(Kittitas and Yakima Counties; Royal and Wauke School Districts in Grant County; Bickleton and Goldendale School Districts in Klickitat County)
33 S. Second Avenue
Yakima, WA 98902
509.575.2885
Web site: www.esd105.wednet.edu

ESD 112

(Clark, Cowlitz, Skamania and Wahkiakum Counties; parts of Klickitat and Pacific Counties)
2500 NE 65th Avenue
Vancouver, WA 98661-6812
360.750.7500
Web site: www.esd112.org

ESD 113

(Grays Harbor, Lewis and Thurston Counties; most of Mason and Pacific Counties)
601 McPhee Road SW
Olympia, WA 98502
360.464.6700
Web site: www.esd113.k12.wa.us

In many instances, the help you need is just around the corner, or a phone call or mouse click away.

Olympic ESD 114

(Kitsap County except Bainbridge Island; North Mason School District; Jefferson and Clallam Counties)

105 National Avenue N.
Bremerton, WA 98312
360.479.0993
Web site: www.oesd.wednet.edu

Puget Sound ESD

(King and Pierce Counties; Bainbridge Island School District in Kitsap County)

800 Oakesdale Avenue SW
Renton, WA 98507-5221
425.917.7600
Web site: www.psesd.org

ESD 123

(Asotin, Columbia, Garfield, Walla Walla, Franklin and Benton Counties; Othello School District in Adams County)

3918 W. Court Street
Pasco, WA 99301
509.547.8441
Web site: www.esd123.org

North Central ESD

(Chelan, Douglas, Grant and Okanogan Counties)

430 Olds Station Road
Wenatchee, WA 98801
509.665.2610
Web site: www.ncesd.org

Northwest ESD 189

(Island, San Juan, Skagit, Snohomish and Whatcom Counties)

1601 R Avenue
Anacortes, WA 98221-2276
360.299.4000
Web site: www.esd189.org

**Local Teacher Association
Officers/Teachers**

Ask them what teachers in general have to say about the district and its goals, needs, problems and attributes.

**Office of Superintendent
of Public Instruction (OSPI)**

Old Capitol Building
P. O. Box 47200
Olympia, WA 98504-7200
360.725.6000
Web site: www.k12.wa.us

**Washington Association of
School Administrators (WASA)**

825 Fifth Avenue SE
Olympia, WA 98501
360.943.5717
Web site: www.wasa-oly.org

**Association of Washington
School Principals (AWSP)**

1021 Eighth Avenue SE
Olympia, WA 98501-1500
360.357.7951
Web site: www.awsp.org

State Board of Education

600 Washington Street SE
Room 253
Olympia, WA 98504-7206
360.725.6025
Web site: www.sbe.wa.gov

Resolving Dilemmas: Two Examples of Challenging Issues

Part 15

Here are two examples of challenging issues board members may face during their tenure. These are offered to illustrate a board's appropriate policy role in objectively addressing emotional issues that involve the entire community.

1. Textbook Adoption

The decisions about which textbooks are used in classrooms throughout a district provide a good example of the way school directors must work with the professional staff in the district, each in their proper roles, to arrive at educationally sound choices. While the school board has the ultimate authority and responsibility to select the instructional materials used in the schools, it is legally required to delegate the task of reviewing and recommending textbook choices to the district's instructional materials committee.

State law requires school districts to establish instructional materials committees. Members of the committee are appointed by the superintendent and must represent the district's professional staff, including the curriculum development committees. School districts have the choice of including parents on the instructional materials committee, but a majority of the committee must be district professionals.

The instructional materials committee reviews all textbooks and other materials that are proposed for use as the primary instructional materials for the courses offered in the district. The review is consistent with the district's goals and prin-

ciples regarding instructional materials. If a text or other material is recommended for adoption, the recommendation is forwarded to the board for final action.

The instructional materials committee also responds to community complaints about instructional materials. If a member of the public objects to the use of an instructional material, either in a particular grade or throughout the district, he or she can petition the committee to reconsider its recommendation of the text. The committee will hold a public hearing, including those who wish the text to be removed or limited and the teachers who are using the challenged materials. Its decisions may be appealed to the board of directors.

Board members need to understand and accept their appropriate role in the adoption of instructional materials and in responding to challenges to materials. Concerns about instructional materials are often deeply held and can result in intense conflict in a district — conflict that the board feels most directly. It is important, however, to let the system work.

If a board member takes an active role in a controversy over a text before the instructional materials committee has acted, that board member may have compromised his or her objectivity if the matter is appealed to the board. In those cases, the board member should not participate in the board's hearing of the appeal, and may have seriously damaged the necessary trust between the staff and the board.

Board members need to understand and accept their appropriate role in the adoption of instructional materials and in responding to challenges to materials.

2. Religious Issues

School directors throughout the state and nation face the personal, political and legal dilemmas surrounding the appropriate resolution of religious issues in the schools. Board members must reconcile their personal beliefs with their responsibility to make policy for the community; they must skillfully create an atmosphere in the schools that makes everyone feel welcome and valued, while acknowledging the reverence in which some traditions are held. Finally, they must do this in an area of law that is complex and where people feel strongly about asserting their rights.

Many of the issues facing school boards today are very divisive. Some students assert their right to be free from religious indoctrination, while others insist that they are exercising their own right to religious freedom by evangelizing or advancing their religion at school. Curriculum choices are analyzed for religious or irreligious content, and may often contain both, depending on the reader's perspective. School board members need a means of analyzing these controversies in a sound, balanced framework.

The dilemma is not whether religion is banned from the public schools or not. The key is properly addressing the role of religious issues in the curriculum and schools. Some communities continue to treat the schools as another institution for instilling the majority's religious values and traditions, while others shy away from all religious references. Values may be taught in the schools, but values directly based on religious faith must be neither belittled nor advanced in the public schools.

The genuine dilemma that school boards face is in the tension of the constitutional framework that addresses religious freedom. Government, including the public schools, is prohibited from establishing

or supporting religion. The Washington State Constitution is explicit: sectarian control or influence in the public schools is prohibited. On the other hand, government must assure citizens the right to freely exercise their religion. Students should be free to practice their religion as they and their parents see fit, but their activity cannot involve the schools (government) as a forum to encourage other students to participate.

When school directors face difficult policy issues related to religion, an effective way of analyzing the problem is to use the same test that the courts will use if the policy choice is challenged. The U.S. Supreme Court has established the Lemon Test, named for an early religion-in-the-schools case, to analyze these questions. For a proposed policy or program to be considered constitutionally acceptable, it must meet all three elements of the Lemon Test:

- There must be a secular purpose to the proposed policy or program.
- The proposed policy must neither promote nor disparage religion.
- The policy or program must avoid entangling the schools with religious institutions.

People of good will can and do argue quite regularly about the application of the Lemon Test to any given program. Nonetheless, it can provide a sound framework for school board members to personally analyze decisions implicating religious questions.

School directors throughout the state and nation face the personal, political and legal dilemmas surrounding the appropriate resolution of religious issues in the schools.

Situation # 1: Test Scores

Your superintendent calls to alert you that scores on state-mandated achievement tests for the seventh-grade students have been received. The results are not good. Not only has the district average dropped in almost all subject areas tested, your scores are the lowest of all school districts in your county. The superintendent tells you that she wants you to be aware of the situation before you read about it in tonight's newspaper. You ask about the reasons for this drop in the scores and why no one was able to predict this. The superintendent says this needs to be researched, but she thinks it is a combination of many factors, including an increase in non-English-speaking students, a change in the type of standardized test used, some changes in the district curriculum which were not aligned with the test, and failure of the board to approve enough funds to support certain in-service programs needed by the staff. You are stunned. You hang up the telephone. It rings again. It is the local newspaper reporter. The reporter asks you several questions in rapid succession.

1. What is your immediate personal reaction to this situation?

2. What should you say?

Response to Situation #1 (Test Scores)

Board members need to develop an expertise in talking with the press about difficult issues in ways that communicate effectively to the public without damaging the district. Individual board members need to be clear about representing themselves, not the board, unless they are the designated contact person for the board. The superintendent's off-the-cuff response to a board member may not be appropriate to share with the press. It is important to avoid finger-pointing, even if the board member being interviewed supported the in-service programs. A board member can communicate concern and a commitment to address the issue without obligating the board or creating unrealistic expectations.

Situation # 2: Levy Failure

Your levy fails for the first time in 15 years. Information gets back to the superintendent and the board through various sources indicating that the community is upset with the schools for a number of reasons. Some of these “reasons” are specific; some are rather obscure. Most appear to be based on rumor and misunderstanding. For example, there is a feeling that the district’s budget reserve is too great. People are upset about district plans to close a 60-year-old elementary school that has been determined to be out of compliance with seismic (earthquake) requirements. In addition it is rumored that the levy failure was encouraged by employees who are unhappy with the administration.

As a board you need to decide what to do now. You do have a cash reserve which would help you make it through next year. However, if you relied on the cash reserve to operate a program next year at this year’s expenditure level, the reserve would soon be reduced to the point where cash flow would be a serious problem. In addition, you wonder if not running a levy this year would set a precedent for the community to think you could get along without one in subsequent years. Some people think that running a second levy for a reduced amount would work. You feel that the community could react negatively to this and may conclude that you had asked for an inappropriately large levy the first time. If you could really live with less, why did you ask for so much?

What do you think the district should do?

- A. Run the levy again at the same amount. The revenue is necessary for a quality education and you can convince the community of that fact.
- B. Run a reduced levy amount, conceding that the community feels supportive but frugal.
- C. Establish an ad hoc committee to examine district programs and community concerns and make a recommendation to the board about whether or not to run another levy.
- D. Get by without the levy, relying somewhat on cash reserves.

Response to Situation #2 (Levy Failure)

It is entirely possible that any of the above responses is the right one for your community. Only your board can decide that. And the only way you can judge the best response is by being actively involved with your community, so that your decision is not based upon rumor and anecdote. Many districts, either before or after having difficulty with a ballot issue, establish an ad hoc committee to examine district programs and community concerns and make a recommendation to the board on running — or not running — another bond or levy issue, and if so, how much to ask for. The value of the committee's work falls into two areas. First, it can explore all the alternatives and program ramifications of each. Usually such a committee works closely with the central office administrators to develop the data to make knowledgeable recommendations. This work can save the board much time, and the committee can be more thorough. Second, the committee can explore community concerns and give the board an assessment of the electoral climate. Concern needs to be highlighted with answer "A" because school district resources may not be used to campaign or try to convince the electorate regarding district ballot measures.

Situation #3: Expectations Exceed Dollars

During a board work study session, the director of finance for the school district briefs the board on the district's budget. He tells the board that the district is facing a dilemma. The Legislature apparently is not going to fully fund salary increases for all school district employees; however, the school district collective bargaining agreements call for all employees to receive salary increases. It looks as if the school district will have to use its financial resources to make up the discrepancy between the salary dollars provided by the Legislature and the amount needed to fund salary increases for all employees.

At the same time, the public recently passed an initiative to provide additional funds to reduce class sizes and stimulate program innovation in the classroom to improve student learning. The budget director expresses his concern that the legal need for the district to supplement the salary increases may require the use of some of those funds that might otherwise be used for the reduction of class sizes and the program innovation. A board member who is running for re-election to the school board expresses concern about the potential public perception that the funds from the initiative, intended to improve student learning, are being spent to supplement employee salaries. Another board member quickly counters by saying "we've got to be fair to our employees." Another member quips, "This is a no-win situation."

What should you do?

- A. Use money — from whatever source — for the salary increases. They are required by your own district.
- B. Use the money from the initiative only for its intended purposes, not for salary increases.
- C. Attempt to renegotiate the collective bargaining agreements. The union should understand.
- D. Sue the state Legislature for not meeting its constitutional mandate to provide salary increases for **all** employees.

Response to Situation #3 (Expectations Exceed Dollars)

There is no “correct” answer. The situation is similar to many that school board members face. The school board is confronted with the public’s expectation that the additional funds provided by the passage of the initiative will be used to reduce class sizes and stimulate program innovation in the classroom to improve student learning. But, the school district has contracts that it must honor. In this case, the collective bargaining agreement requires that all employees shall receive a salary increase. Although the board members may differ on the way they will approach the dilemma, they must come to a consensus on the public position that the board will take on the situation.

At a minimum, the school board’s public position must: (1) detail the issues involved; (2) state the board’s position on how it will resolve the dilemma; and (3) call for the Legislature to fully fund salary increases so that this situation is not repeated in the future.

Situation #4: Executive Session

In an executive session, the superintendent informs you that the middle school principal has placed a school counselor on probation and that you may hear about this, as the counselor is popular with students and well known in the community. There are apparently serious concerns about the performance of this counselor and the quality of service she is providing to the students. The superintendent does not say much more. The next evening your eye catches a headline in your local paper: “School Counselor’s Abilities Questioned.”

With dismay you read a summary of an interview, during which a reporter questioned one of your fellow board members about the matter. Much of what is reported was said during the executive session. This board member is upset because the board is allowing the superintendent and principal to take this action against a “trusted and loyal employee who has lived in the community and served the schools for years.” The paper quotes the board member as saying, “I don’t know why these people allow such actions when it is so clear that this will have a detrimental effect on our children’s education. This has gone beyond the point where keeping confidences is either reasonable or right. The public supports these schools and the public deserves to know what is happening.”

What should you do?

- A. Call the newspaper to explain why the issue has been kept quiet.
- B. Call the superintendent to get all the details of the matter. Once it’s in the open you need to know more facts.
- C. Contact other board members and request that sanctions be taken against this board member.
- D. Ask the board chair to arrange a one-on-one private meeting with the board member where it can be explained why matters discussed in executive session, particularly personnel matters, need to remain confidential.

Response to Situation #4 (Executive Session)

Answer D is preferred. What is most important is that the talkative board member needs to understand the grievous damage that can be done to the district's position by breaching the executive session. Meeting with the board member in private provides an opportunity to explain to the board member that he or she has done nothing to help the counselor by publicizing the problem and has made any reasonable resolution of the issue extremely difficult. Sanctioning the board member (C) really is not an option. An employee who leaks information could be fired, but the board has little recourse against one of its own. Seeking "all of the details" from the superintendent (B) may disqualify you from helping to resolve the case if the board ends up hearing an appeal by the employee. And keeping the issue alive in the news media by calling the paper (A) will only further invade the counselor's privacy and make it even more difficult to resolve the issue.

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